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dba Copper Springs East

**UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF ARIZONA**

Sabrina S. Masters,

Plaintiff,

v.

Copper Springs Hospital East,

Defendant.

Case No.

**DEFENDANT COPPER SPRINGS
HOSPITAL, LLC'S NOTICE OF
REMOVAL OF CIVIL ACTION
UNDER 28 U.S.C. W§§ 1331 (FEDERAL
QUESTION), 1441 AND 1446**

(Removed from Maricopa County Superior
Court, Case No. CV2023-008949)

**TO: CLERK OF THE UNITED STATES DISTRICT COURT FOR THE DISTRICT
OF ARIZONA**

PLEASE TAKE NOTICE that Copper Springs Hospital, LLC, dba Copper Springs East ("Defendant") hereby removes the above-entitled action from the Superior Court of the State of Arizona, County of Maricopa, to the United States District Court for the District of Arizona. This Court has original jurisdiction under pursuant to 28 U.S.C. §§ 1331, 1441(a), 1446 and LRCiv 3.6. Defendant respectfully submits the following statement of grounds for removal on the basis of this Court's federal question jurisdiction.

1. On June 15, 2023, Plaintiff Sabrina Masters ("Plaintiff") filed a Complaint in the Maricopa County Superior Court, State of Arizona, entitled *Sabrina S. Masters v. Copper Springs Hospital East*, Case No. CV2023-008949. Specifically, Plaintiff's Complaint purports to assert claims of unlawful discrimination and retaliation during her

1 employment. A true and correct copy of the Complaint is attached to this Notice of Removal
2 as **Exhibit 1**.

3 2. On June 21, 2023, a process server purported to serve Defendant, via Littler
4 Mendelson, with copies of the state court Summonses (7), Certificate of Compulsory
5 Arbitration, and Complaint. A true and correct copy of the complete state court file
6 including summonses, pleadings, and orders in the State Court Action are being filed with
7 this Notice as required by 28 U.S.C. § 1446(a) and are also attached as **Exhibit 2**.

8 3. Accordingly, Defendant has filed this Notice of Removal within 30 days after
9 service of the initial pleading setting forth a removable claim and it is timely filed under 28
10 U.S.C. §1446(b). Specifically, each defendant shall have 30 days after receipt by or service
11 on that defendant of the initial pleading or summons. 28 U.S.C. §1446(b)(2)(B).

12 4. This Court has original jurisdiction over this action under 28 U.S.C. § 1331
13 and Defendant properly removed it to this Court under 28 U.S.C. § 1441(a) because Plaintiff
14 has alleged a federal question. Specifically, Plaintiff's Complaint purports to state a cause
15 of action for harassment, discrimination, and retaliation under Title VII of the Civil Rights
16 Act of 1964 and discrimination under 42 U.S.C. § 1981.

17 5. Accordingly, because Plaintiff asserts a claim under the laws of the United
18 States, this Court has original jurisdiction pursuant to 28 U.S.C. § 1331 and this action may
19 be removed to this Court pursuant to 28 U.S.C. § 1331 and 1441(a). "A case arise[s] under
20 federal law within the meaning of § 1331 . . . if a well-pleaded complaint establishes either
21 that federal law creates the cause of action or that the plaintiff's right to relief necessarily
22 depends on resolution of a substantial question of federal law." *Cook Inlet Region, Inc. v.*
23 *Rude*, 690 F.3d 1127, 1130 (9th Cir. 2012) (quoting *Empire Healthchoice Assurance, Inc.*
24 *v. McVeigh*, 547 U.S. 677, 689–90 (2006)) (internal citation omitted).

25 6. Supplemental jurisdiction exists over Plaintiff's remaining state law claims.
26 See 28 U.S.C. §§ 1367, 1441(c). In any civil action in which this Court has original
27 jurisdiction, it also has supplemental jurisdiction under 28 U.S.C. § 1367(a) over all state
28 law claims that are so related to the claims in this action within its original jurisdiction that

1 they form part of the same case and controversy. Plaintiff's state law claims are based on
 2 the same operative facts as Plaintiff's federal claim. Therefore, this Court has supplemental
 3 jurisdiction over Plaintiff's state law claims.

4 7. Venue of this Action exists in this District pursuant to 28 U.S.C. § 1441(a)
 5 because the Maricopa County Superior Court is located within this District.

6 8. Based on the foregoing this Action is properly removed to this Court.

7 9. Defendant has given written notice of this removal to all adverse parties, in
 8 accordance with 28 U.S.C. § 1446(d). A copy of the Notice to Adverse Party of Removal
 9 of Civil Action to Federal Court filed in the Maricopa County Superior Court, State of
 10 Arizona, is attached as **Exhibit 3**.

11 10. Defendant filed a Notice to State Court of Removal of Civil Action to Federal
 12 Court in the Maricopa County Superior Court, State of Arizona, and served Plaintiff with
 13 the Notice, in accordance with 28 U.S.C. § 1446(d). A copy of the Notice to State Court of
 14 Removal of Civil Action to Federal Court is attached as **Exhibit 4**.

15 Dated: July 11, 2023

Respectfully submitted,

17 s/Michael B. Guilliam

R. Shawn Oller

Michael B. Guilliam

LITTLER MENDELSON, P.C.

19 Attorneys for Defendant Copper Springs
 20 Hospital, LLC dba Copper Springs East

21 I hereby certify that I electronically
 22 transmitted the attached document to the
 23 Clerk's Office using the CM/ECF System for
 24 filing and transmittal of a Notice of
 Electronic Filing to the following CM/ECF
 registrants, and mailed and emailed a copy of
 same to the following if non-registrants, this
 11th day of July, 2023, to:

25 Sabrina S. Masters
 26 1728 West Wayland Drive
 Phoenix, Arizona 85041
 27 Masters_sabrina1987@hotmail.com
 Plaintiff *Pro Persona*

28 By: s/Michelle Renee Mercure